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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/830,111

04/23/2004

Shahana Rahman

118445

9018

27074 7590 08/22/2008

OLIFF & BERRIDGE, PLC.

P.O. BOX 320850

ALEXANDRIA, VA 22320-4850

EXAMINER

BRINICH, STEPHEN M

ART UNIT

PAPER NUMBER

2625

NOTIFICATION DATE

DELIVERY MODE

08/22/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

OfficeAction27074@oliff.com

jarmstrong@oliff.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/830,111	<b>Applicant(s)</b> RAHMAN ET AL.	
	<b>Examiner</b> STEPHEN M. BRINICH	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6,8,15,19,20 and 22-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,8,15,19,20 and 22-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____.                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____.  | 6) <input type="checkbox"/> Other: ____.                          |

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10830111	4/23/04	RAHMAN ET AL.	118445

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**EXAMINER**

STEPHEN M. BRINICH

ART UNIT	PAPER
2625	20080807

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

/S. M. B./  
Primary Examiner, Art Unit 2625

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments (5/21/08 Response: page 6, line 13 - page 7, line 14) with respect to the rejection of claim(s) 1-6, 8, 19-20, & 22-26 under 35 USC §102 and the rejection of claim 15 under 35 USC §103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Tone et al.

The outstanding rejections of claims 7, 9-14, 16-18, 21, & 27-28 have been obviated by their cancellation.

***Claim Rejections - 35 USC § 103***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-6, 8, 15, 19-20, & 22-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Micrografx Picture Publisher Limited Edition Reference Guide (referenced as "Micrografx Guide") in view of Tone et al (US 5146275).

Re claims 1 & 20, Micrografx Guide discloses (pages 7-40 - 7-44) a system for forming a composite image in which an image source provides document image data and a digital graphic element (an image from the Windows Clipboard (page 7-40) or another graphic file (page 7-43)) is supplied by a user (by

customizing the desired image and then placing the desired image in the Windows Clipboard or graphic file and then selecting the "Paste" or "Paste From" command. A composite image is then formed from the document image and the digital graphic element by a computer which executes the software described in the Micrografx Guide.

Re claims 2, 10, & 22, Micrografx guide discloses that the user-supplied digital graphic element (the Windows Clipboard or graphic file) is stored on a digital storage medium (the hard disk in the case of the Windows Clipboard; the hard disk, a floppy disk, a USB key, or any of several other well-known digital storage media in the case of a graphic file).

Re claims 3-5, 23-24, & 26, Micrografx Guide discloses that the "Paste From" Edit menu (page 7-43) is a digital graphic element input interface usable to select (from a list with a plurality of "Clipboard" files) and input the above described digital graphic element. The attributes (e.g. size and scale, edge blending, transparency; pages 7-41 - 7-42) and position (see "To move a pasted image", page 7-43) may be selected and manipulated by the user.

Re claims 6 & 25, the "edge blending" adjustment inherently adjusts the contrast of the digital graphic element (as more blending is selected, there is less contrast at the edges where

it adjoins the document image), and the "transparency" adjustment inherently adjusts the intensity of the digital graphic element (this element becomes less intense as the transparency level is increased).

Re claim 8, the above described "Paste From" Edit menu is separate and discrete from other menus (e.g. the "Print" menu) used in controlling the image forming device.

Re claim 19, Micrografx Guide discloses (page 7-10) an image sink (a printer output) for displaying and reproducing an output image (such as the composite image generated by the above described process).

Re claims 1-6, 8, 15, 19-20, & 22-26 as amended, Micrografx Guide describes the use of this arrangement to control printing and scanning operations, but does not specifically describe a scanner which scans and input document to obtain input image data or an image forming device that forms and stores a composite image based on the result of the abovedescribed compositing of this input image data and user-supplied digital graphic element data.

Tone et al discloses (Abstract; Figures 6-7; column 7, lines 43-50) an image forming device including a scanner for scanning an input document to obtain input image data and a photocopier image forming device that forms and stores a final

output image. In particular, Tone et al discloses (Abstract lines 8-10).

Micrografx Guide and Tone et al are combinable because they are from the field of processing scanned images and printing a processed image result.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to apply the control arrangements and interface of Micrografx Guide to the Tone et al scanner and printer device.

The suggestion/motivation for doing so would have been to enable the Tone et al device to carry out the full range of image processings described by Micrografx Guide.

Therefore, it would have been obvious to combine Micrografx Guide with Tone et al to obtain the invention as specified in claims 1-6, 8, 15, 19-20, & 22-26.

### **Conclusion**

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this

action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application, entry of papers into this application, or other any inquiries of a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 571-272-1000.

The examiner can normally be reached on weekdays 8:00-5:30, alternate Fridays off.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.



Art Unit: 2625

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300.

Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

/S. M. B./

Primary Examiner, Art Unit 2625

/Thomas D Lee/

Primary Examiner, Art Unit 2625